



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

AGENDA

Tuesday, June 13, 2023

6:00 PM

Council Chambers
Prior Lake City Hall

BOARD OF MANAGERS:

**Bruce Loney, President; Frank Boyles, Vice President;
Christian Morkeberg, Treasurer; Ben Burnett, Secretary; Matt Tofanelli, Manager**

Note: Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

Board Workshop 4:00 PM – *Parkview Conference Room*

4:00 – 4:05 PM	W.1	Introduction of Summer Interns, Ashley Halverson and Lindsay James (Joni Giese)
4:05 – 4:10 PM	W.2	Introduction of Water Resources Specialist, Danielle Studer (Emily Dick)
4:10 – 4:30 PM	W.3	Rule D - Public Linear Cost Cap and Stormwater Impact Fund Rates (Carl Almer)
4:30 – 4:50 PM	W.4	2024 Budget Considerations (Joni Giese)
4:50 – 5:00 PM	W.5	Juneteenth Holiday (Joni Giese)
5:00 – 5:20 PM	W.6	Staff Feedback Discussion (Joni Giese)
5:20 – 5:25 PM	W.7	Joint Board of Managers & CAC Meeting: Potential Agenda Items (Bruce Loney)
5:25 – 5:40 PM	W.8	Liaison Updates <ul style="list-style-type: none"> • District Partners in Attendance • Managers' Summary of other Meetings Attended
5:40 – 5:50 PM	W.9	Administrator Report (Joni Giese)

6:00 – 6:02 PM 1.0 **BOARD MEETING CALL TO ORDER & PLEDGE OF ALLEGIANCE**

6:02 – 6:07 PM 2.0 **PUBLIC COMMENT**

If anyone wishes to address the Board of Managers on an item not on the agenda or on the consent agenda, please come forward at this time. Go up to the podium, turn on the microphone and state your name and address. (The Chair may limit your time for commenting.)

6:07 – 6:10 PM 3.0 **APPROVAL OF AGENDA** (Additions/Corrections/Deletions)

6:10 – 7:10 PM 4.0 **OTHER OLD/NEW BUSINESS**

- 4.1 Programs & Projects Update (Discussion Only)
- 4.2 Fish Lake Management Plan: Project Status Update – Discussion Only (Pat Conrad)
- 4.3 Resolution 23-370: Revising the Name of the Upper Watershed Blueprint Reserve Fund (Vote)
- 4.4 City of Prior Lake Lease Renewal (Vote)
- 4.5 City of Savage Interim Equivalency Approach (Vote)
- 4.6 Mieras Pollinator Habitat and Raingarden Cost Share Project (Vote)

7:10 – 7:15 PM 5.0 **TREASURER’S REPORT**

5.1 Monthly Financial Reports (Discussion Only)

- Financial Report
- Treasurers Report
- Cash Flow Projections

7:15 – 7:20 PM 6.0 **CONSENT AGENDA**

The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of the Board member, staff member, or a member of the audience. Please state which item or items you wish to remove for separate discussion.

6.1 Meeting Minutes – May 9, 2023, Board Workshop

6.2 Meeting Minutes – May 9, 2023, Board Meeting

6.3 Meeting Minutes – April 27, 2023, CAC Meeting

6.4 Claims List & Visa Expenditures Summary

6.5 Scott County Public Works Storage Facility Conservation Easement

6.7 CAC Vice-Chair

7:20 – 7:25 PM 7.0 **UPCOMING MEETING/EVENT SCHEDULE:**

- Joint Board of Managers & CAC Ferric Chloride Facility Site Tour, Thursday, June 22, 2023, 3:00 pm (Depart from Prior Lake City Hall)
- Joint Board of Managers & CAC Meeting, Thursday, June 22, 2023, 5:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)
- Board of Managers Workshop, Tuesday, July 11, 2023, 4:00 pm (Prior Lake City Hall – Parkview Conference Room)
- Board of Managers Meeting, Tuesday, July 11, 2023, 6:00 pm (Prior Lake City Hall – Council Chambers)
- CAC Meeting, Thursday, July 27, 2023, 6:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)

7:25 PM 8.0 **ADJOURNMENT**

JUNE 2023 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Sutton Lake Outlet and Lake Management Plan <i>Project Lead: Emily</i>	Lake Management Plan <ul style="list-style-type: none"> Final Lake Management Plan was approved by Board of Managers at April Meeting. 	Lake Management Plan <ul style="list-style-type: none"> Continue to monitor effects of recent drought conditions to inform future drawdown.
Carp Management <i>Rough Fish Management (Class 611)</i> <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Tracking & Removals: Removed carp through electro-fishing by boat and backpack in migration channels and at barriers. Many carp espionage submissions aided field efforts. Barriers: Maintained and removed carp from push trap barrier at desilt pond. Cleaned FeCl barrier multiple times with high volume of water moving through CD13. Identified area of concern with Arctic channel barrier that will need modification. Stocking: Stocked 2400 bluegills in Geis wetland and 1200 bluegills partnered with Spring Lake Association. 	<ul style="list-style-type: none"> Continue to track tagged carp Remove carp when conditions allow. Set up baited in-lake traps on Spring Lake.
Ferric Chloride System Operations <i>Project Lead: Jeff and Emily</i>	<ul style="list-style-type: none"> Contracting for system update and lifetime assessment. Planned for upcoming tours for consultant as well as board and CAC. Continued troubleshooting of connection issues to datalogger and dosing equipment. Received delivery of approximately 2700 gallons of Ferric Chloride solution. Conducted weekly required water quality monitoring. 	<ul style="list-style-type: none"> Facility tour with Board of Managers and Citizen Advisory Committee. Continue weekly required monitoring as treatment occurs. Fix connection issues with equipment. Kickoff system assessment work with consultants.

JUNE 2023 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
<p>Upper Watershed Projects <i>Buck Wetland, Sutton IESF, Swamp IESF, Buck Chemical Treatment, Ditch 13 Chemical Treatment, Spring Lake West IESF</i></p> <p><i>Project Lead: Emily</i></p>	<p>Buck Wetland Enhancements</p> <ul style="list-style-type: none"> Finalized Buck Wetland Feasibility study at April Board meeting. Conducted follow-up work related to landowner meeting. Continued to try and reach landowner. <p>Spring Lake West IESF/Wetland</p> <ul style="list-style-type: none"> Conducted follow-up work related to landowner meeting. Requested update from Scott County on road right of way planning. <p>Sutton Lake IESF</p> <ul style="list-style-type: none"> Conducted follow-up to assess landowner interest. <p>2023 WBIF Studies</p> <ul style="list-style-type: none"> Presented on the Fish Lake Management Plan Update (FLMPU) to landowners. Conducted soil sampling to inform FLMPU. Met with Swamp Lake landowner to initiate discussions. Conducted surveying and wetland delineation on Swamp lake site. <p>Potential Flood Storage Projects</p> <ul style="list-style-type: none"> Continued project coordination on Project 5 with Scott SWCD. Followed up on Project 1 landowner concerns. 	<p>Buck Wetland Enhancements</p> <ul style="list-style-type: none"> Plan a follow-up meeting with landowner. <p>Spring Lake West IESF/Wetland</p> <ul style="list-style-type: none"> Reengage conversations with wetland landowners. Continue IESF landowner outreach and follow-up. Meet with Scott County on road right of way. <p>Sutton Lake IESF</p> <ul style="list-style-type: none"> Assess landowner willingness and site feasibility in determining next steps. Assess cost benefit of alternative sites. <p>2023 WBIF Studies</p> <ul style="list-style-type: none"> Analyze data to inform the draft FLMPU. Hold site visit for agencies and landowner at Swamp lake site. Continue outreach and coordination on both projects. <p>Potential Flood Storage Projects</p> <ul style="list-style-type: none"> Continue outreach to landowners of Project 6 and follow up on remaining questions for Project 1 landowners. Coordinate with Scott SWCD on Project 5 landowner discussion. Assess whether alternative projects should be considered if low landowner interest continues.
<p>Farmer-Led Council <i>Project Lead: Emily</i></p>	<ul style="list-style-type: none"> Continued coordination with Scott SWCD. 	<ul style="list-style-type: none"> Plan next FLC meeting for August. Continue to support and review FLC projects.

JUNE 2023 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Cost Share Incentives <i>Project Lead: Emily</i>	<ul style="list-style-type: none"> Met with SWCD on upcoming cost share projects. Planned cost share batch prioritization meeting with Scott SWCD. 	<ul style="list-style-type: none"> Review cost share applications with Scott SWCD as needed. Prioritize batch of cost share projects in late June. Present non-traditional cost share project types for Board approval as applicable.
Website and Media <i>Project Lead: Emily</i>	<ul style="list-style-type: none"> Social Media – posted on all social channels about: carp electrofishing, historic PLOC construction, interns, and blue gill stocking. 	<ul style="list-style-type: none"> Continue writing posts and updates about projects on the website. Continue updating Facebook, and Instagram about projects & news.
Citizen Advisory Committee <i>Project Lead: Emily</i>	<ul style="list-style-type: none"> May CAC meeting had discussion on transition from subcommittees, and review of District progress towards plan goals. Elected Vice Chair. 	<ul style="list-style-type: none"> Prepare for June 22nd Joint Board of Managers & CAC meeting. Prepare CAC recruitment materials.
Education Program <i>Project Lead: Emily</i>	<ul style="list-style-type: none"> Coordinated with SCWEP staff on upcoming Shoreline restoration workshop. See Website and Media section. 	<ul style="list-style-type: none"> Present at June 14th Shoreline Restoration Workshop. Continue coordination with SCWEP programs.
Monitoring Program <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Bi-weekly stream chemistry monitoring. Bi-weekly lake chemistry monitoring by TRPD. Coordinated CAMP lake monitoring. Biobase surveys on Tier 2 lakes. Fixed electrical wiring and other misc. maintenance on district boat. 	<ul style="list-style-type: none"> Conduct bi-weekly stream chemistry monitoring. Continue working on solution to connect telemetry loggers, WISKI database, and website. Work on 2022 lake and stream reporting.
Aquatic Vegetation Management and Surveys <i>Project Lead: Jeff</i>	<ul style="list-style-type: none"> Blue Water Science conducted CLP surveys and delineations on Tier 1 Lakes. Spring Lake was the only lake identified with estimated heavy growth in areas where treatment could occur. PLM was contracted and completed the CLP treatment of approximately 7-8 acres using Diquat contact herbicide. 	<ul style="list-style-type: none"> Summer point intercept surveys. Submit treatment reimbursement request to Scott County.
AIS <i>Project Lead: Shauna</i>	<ul style="list-style-type: none"> Contracted and DNR Boat Inspections began. Began coordinating logistics for Starry Trek event 2023. 	<ul style="list-style-type: none"> Post article on County AIS plans on social media. Continue coordinating boat inspections with DNR and contracted inspectors. Continue preparation for Starry Trek event.

JUNE 2023 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Rules Revisions <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Met with Scott County to discuss potential revisions to the draft MOA and to discuss how to better integrate into the County's plan review process. Prepared to present proposed rates for Public Linear Cost Caps and Stormwater Impact Fund. Prepared proposed interim equivalency approach for the City of Savage. 	<ul style="list-style-type: none"> Receive comments from City of Prior Lake on MOA. Continue MOA refinement with Scott County. Manager approval of cost cap and stormwater implementation fund rates. Contingent on board direction, initiate process to establish interim equivalency approach for City of Savage.
BMPs & Easements <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> SWCD training on easement inspections. SWCD sent out advance easement inspection notices to property owners. Interns received training from SWCD and District staff on easement inspection protocols. Brought Scott County Public Works Storage Facility Conservation Easement forward to Board for approval. 	<ul style="list-style-type: none"> Finalize one outstanding easement amendments and send to landowner for review and signature. Perform easement inspections, develop violation/compliance notifications, and send out.
Permitting <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Updated permit for Spring Lake Regional Park (22.02) for District Rules C, D & E. Issued notice of completeness to City of Prior Lake for Fish Lake Road Phase 3 project (23.02). Performed weekly construction site inspections. 	<ul style="list-style-type: none"> Review permit application for City of Prior Lake for Fish Lake Road Phase 3 project (23.02). Bring forward for board approval at July meeting. Continue performing weekly construction site inspections. Continue transition work with Scott SWCD. Focus on MS4 permitting requirements.
Planning Activities <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Submitted audited 2022 financial statement to BWSR. Participated in May meeting of Lower MN East 1W1P Advisory Committee. 	<ul style="list-style-type: none"> Continue participation in Lower MN East 1W1P Advisory Committee. Submit audited 2022 financial statement to State auditor (via CLA). Participate in SCALE Water Committee convening.

JUNE 2023 PROGRAMS AND PROJECTS UPDATE

PROGRAM OR PROJECT	LAST MONTH'S STAFF ACTIVITIES	NEXT STEPS
Outlet Channel Projects and Administration <i>Project Lead: Emily/Jeff</i>	<ul style="list-style-type: none"> Developed preliminary estimate of probable costs and draft engineer report for PLOC pipe lining project. Presented draft pipe lining cost estimate to the Board on May 9 and PLOC Cooperators on May 18. Prepared application for legislative funding request. Removed beaver dam in segment 5a. EOR conducted spring channel survey to identify invasive species and bank stability conditions. EOR and District interns removed wild parsnip from the PLOC. EOR and District staff surveyed pond elevations and a stabilization feature throughout segment 5 to monitor sedimentation rates of the newly constructed features. Completed contracting for invasive woody vegetation management occurring later in the fall. Facilitated May 18 PLOC Cooperator meeting. 	<ul style="list-style-type: none"> Prepare and submit materials for legislative funding request for pipe lining project. Hold further pipe lining project development until needed for funding requests. Pipe lining construction expected to occur in late 2024. Remove various fallen trees in channel identified in 2022 report. Schedule special PLOC Cooperator meeting for purpose of approving a funding resolution. Prepare for August cooperators meeting.
General Administration <i>Project Lead: Joni</i>	<ul style="list-style-type: none"> Hired staff member for Water Resources Specialist I position. Reviewed proposals received for District Website Redesign and developed tentative approach for moving forward. Continued to work with US Bank to set up NASPO purchasing card program. Reviewed commercial and workers compensation insurance policy proposals. Performed six-month performance review with Water Resources Project Manager. Reviewed 2023 legislation that needs to be addressed in updated personnel policy. 	<ul style="list-style-type: none"> Prepare draft 2024 budget for July board workshop. Finish setting up NASPO purchasing card program. Start researching potential approaches for updating personnel manual.



Subject 	Fish Lake Management Plan Update: Project Status	
Board Meeting Date 	June 13, 2023	Item No: 4.2
Prepared By 	Emily Dick	
Attachments 	None	
Proposed Action 	None	

Background

On a bi-annual basis, BWSR distributes State of Minnesota Clean Water Funds through the Watershed-Based Implementation Funding (WBIF) program to implementing agencies. This is a non-competitive process that funds water quality improvement projects. In accordance with program requirements, PLSLWD initiated a convening process held between watershed partner agencies within the Watershed Planning Area to select two projects to submit to BWSR for funding. One selected project was the Fish Lake Management Plan Update.

The Fish Lake Management Plan Update (FLMPU) is an effort to update the 2006 Fish Lake Management Plan, which conflicts with the 2020 Lower Minnesota River Watershed Restoration and Protection Strategy (WRAPS) report completed by the Minnesota Pollution Control Agency (MPCA). The FLMPU will include updating data and modeling and reconciling with the underlying data from MPCA, as well as updating goals and objectives with landowner feedback. Informed by updated data and goals, the FLMPU will propose management actions the District could take to improve lake health.

Discussion

Consultant, Pat Conrad, will present general methodology behind lake assessments, initial data findings and drafted goals and objectives of the lake management plan. Data collection, analysis, and drafting of the lake management plan will continue through Summer 2023. A draft lake management plan will be available for review and feedback from partners, landowners and Board managers in Fall/Winter 2023.



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

Subject 	Resolution 23-370: Revising the Name of the Upper Watershed Blueprint Reserve Fund	
Board Meeting Date 	June 13, 2023	Item No: 4.3
Prepared By 	Joni Giese, District Administrator	
Attachments 	Resolution 23-370: Revising the Name of the Upper Watershed Blueprint Reserve Fund	
Proposed Action 	Motion to approve Resolution 23-370: revising the name of the Upper Watershed Blueprint Reserve Fund to the Upper Watershed Reserve Fund	

Background

Resolution 21-352 dated December 21, 2021, established a District committed fund titled, the Upper Watershed Blueprint Reserve fund in the amount of \$190,000. Resolution 22-365 dated December 13, 2022, increased the value of the Upper Watershed Blueprint Reserve fund to \$362,300.

Discussion

As project planning has advanced in the upper watershed, staff and managers realize that it may take an extended period of time to implement the projects included in the Upper Watershed Blueprint plan. At the same time, potential flood mitigation projects or water quality projects, outside of the Upper Watershed Blueprint report, have been brought forward for District consideration. Therefore, it is the Board of Managers' desire to clarify that the intent of this reserve fund is to provide a dedicated funding source to implement flood mitigation and water quality projects in the "Upper Watershed" of the District. The "Upper Watershed" is defined as all areas of the District that contribute drainage to either Spring Lake or Upper Prior Lake. It is the Board of Managers' desire to revise the name of the reserve fund from Upper Watershed Blueprint Reserve Fund to Upper Watershed Reserve Fund to better reflect the intent of using this reserve fund to implement not only Upper Watershed Blueprint projects, but a full range of projects located in the upper watershed that either address flood mitigation or improve water quality.

Recommendation

Board motion to approve Resolution 23-370: revising the name of the Upper Watershed Blueprint Reserve Fund to the Upper Watershed Reserve Fund.

Resolution 23-370

Revising the Name of the Upper Watershed Blueprint Reserve Fund

WHEREAS, the Governmental Accounting Standards Board (GASB) has issued Statement No. 54, establishing a hierarchy clarifying the constraints that govern how a governmental entity can use amounts reported as fund balance; AND

WHEREAS, the Board of Managers is the highest level of decision-making authority, and has the authority to commit, assign, or evaluate existing fund balance classifications and identify the intended uses of committed or assigned funds; AND

WHEREAS, the committed fund balance classification reflected amounts subjected to internal constraints self-imposed by the Board of Managers; AND

WHEREAS, once the committed fund balance constraints are imposed, it requires the constraint to be removed by the Board of Managers via resolution prior to redirecting the funds for other purposes; AND

WHEREAS, as of December 31, 2022, the Board of Managers has committed a total of \$362,300 to the Upper Watershed Blueprint Reserve Fund; AND

WHEREAS, the Board of Managers' desire to clarify the intent of the fund is to provide a dedicated funding source to implement flood mitigation and water quality projects in the "Upper Watershed" of the District and that "Upper Watershed" is defined as all areas of the District that contribute drainage to either Spring Lake or Upper Prior Lake; AND

WHEREAS, the Upper Watershed Blueprint plan identifies only a portion of projects that meet the intended purpose of these committed funds and therefore, a revision to the fund name is desired;

THEREFORE, BE IT IS RESOLVED the Board of Managers have determined to revise the name of the reserve fund from Upper Watershed Blueprint Reserve Fund to Upper Watershed Reserve Fund.

The question was called on the adoption of the Resolution and there were ____ yeas and ____ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Boyles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Loney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Morkeberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tofanelli	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the chair declared the resolution adopted.

It is hereby certified that the Board of the Prior Lake-Spring Lake Watershed District adopted this Resolution at a duly convened meeting of the Board held on the 13th day of June 2023, and that such Resolution is in full force and effect on this date, and that such Resolution has not been modified, amended, or rescinded since its adoption.

Ben Burnett, Secretary

Dated: June 13, 2023



Subject Office Space Lease Renewal	
Board Meeting Date June 13, 2023	Item No: 4.4
Prepared By Joni Giese, District Administrator	
Attachment None	
Action Motion to approve the office space lease renewal with the City of Prior Lake for a period of one year, effective July 1, 2023.	

Background

On July 13, 2021, the Board of Managers voted to enter into a one-year office space lease with the City of Prior Lake effective July 1, 2021. The annual base rent for the lease was \$2,250 per month.

Discussion

Per the lease terms, the District can renew the lease annually for four additional one-year terms by mutual agreement of PLSLWD and the City of Prior Lake. The lease terms state for each year the lease is renewed, the base rent shall increase by three percent, which would set the monthly rent at \$2,387.03 effective July 1, 2023.

The District Administrator recently met with the City Manager to discuss potential internal office signage, potential information technology improvements for city hall conference rooms and council chambers, and office climate control issues. While the proposed information technology modifications to the council chambers will not occur, the City did commit to the other discussed improvements and modifications.

Recommendation

Staff recommends the managers vote to approve the office space lease renewal with the City of Prior Lake for a period of one year, effective July 1, 2023.



Subject 	City of Savage Interim Equivalency Approach	
Board Meeting Date 	June 13, 2023	Item No: 4.5
Prepared By 	Joni Giese, District Administrator	
Attachments 	Draft Letter to City of Savage	
Proposed Action 	Motion to approve an interim permitting approach with City of Savage consistent with the staff-prepared letter and for the District Administrator to sign and send the letter to the City of Savage for the City's signed acknowledgement of the interim permitting approach.	

Background

At the March 2023 Board of Managers Workshop, staff provided a status update on establishing rules equivalency with interested LGU partners. At that time, it was discussed that the City of Savage was in the process of updating the city ordinances with the intent to make the city's ordinances to be equivalent with District rules and that this process would likely take over a year to complete. It was discussed that the District may consider performing permitting activity within the City of Savage until the city ordinances could be reviewed and deemed equivalent. The Board of Managers directed staff to meet with City of Savage representatives again to discuss permitting.

Discussion

Subsequent to the March workshop, staff met with City of Savage staff to discuss permitting. As part of this meeting, staff from both agencies jointly developed a proposed interim permitting approach that is being brought forward for Board consideration.

Staff believe the proposed interim approach is acceptable for the following reasons:

- The City's ordinances are fairly similar to the District Rules with gaps limited to new requirements by the District.
- Both the City and the District are subject to the Non-Point Discharge Elimination System Municipal Separate Storm Sewer System (NPDES MS4) General Permit MNR04000 such that City conformance with the permit with respect to MCM4: Construction Site Stormwater Runoff Control, and MCM5: Post-Construction Stormwater Management will also satisfy the District's obligations under this permit.
- Most of the city located within the boundaries of the District has already been subdivided. The largest exception is the remaining outlots of Big Sky Estates in the southwest corner of the city. It is the District's understanding that these are being developed as Planned Unit Developments where the City can include District comments as an approval condition as has been done with other approvals/plats in the past.
- High Value Resource Areas identified by the District where new District Rules have additional requirements are limited within the City.

- There are only a few high value wetlands identified by the District that are located in the city. Land around most of these wetlands is already subdivided. The exceptions again are in the outlots for Big Sky Estates where any special requirements can be handled as conditions.

Finally, this approach will only be used for limited time until the City has completed its ordinance update. Furthermore, the District agrees that the risk to water resources is acceptable for the interim, provided the City informs and provides the District the opportunity to review and comment on applications for new development or redevelopment as outlined in attached draft letter to ensure compliance with District rules to the extent possible.

District staff will work with City of Savage staff to determine the appropriate individual to address the attached letter to.

Recommendation

Board motion to approve an interim permitting approach with City of Savage consistent with the staff-prepared letter and for the District Administrator to sign and send the letter to the City of Savage for the City's signed acknowledgement of the interim permitting approach.

Date

Name

Title

City of Savage

6000 McColl Drive

Savage, MN 55378

Dear Mr./Ms. Name

The City of Savage and the Prior Lake-Spring Lake Watershed District have a history of working together with respect to regulating new development and redevelopment. In the past we did this through a Memorandum of Agreement where the District elected to not operate a permit and enforcement program provided the City implemented an equivalent program that met District requirements. This agreement, however expired with the District completion of its 2020 to 2030 Water Resources Management Plan, and the passage and recording of new Rules by the District in 2022. The District, and we understand the City also, desires to have a similar permitting arrangement going forward since only having one organization doing the permitting reduces redundancy. To do this City ordinances need to be found “equivalent” with the new District Rules. District review of City ordinances have found that while they are fairly similar there are a few gaps that need to be addressed before the City’s permit and enforcement program can be considered equivalent. These gaps have been previously communicated to the City. We understand from City staff that the City has started the process of updating City ordinances, and that this process would be the means for addressing those gaps. However, the process is likely to take over a year. During this interim period the District retains all its authorities, but will continue the choice of not exercising its permitting and regulatory authority with respect to new development and redevelopment in the City as described below.

The District is willing to make this commitment for the following reasons:

- The City’s ordinances are fairly similar to the District Rules with gaps limited to new requirements by the District.
- Both the City and the District are subject to the Non-Point Discharge Elimination System Municipal Separate Storm Sewer System (NPDES MS4) General Permit MNR04000 such that City conformance with the permit with respect to MCM4: Construction Site Stormwater Runoff Control, and MCM5: Post-Construction Stormwater Management will also satisfy the District’s obligations under this permit.
- Most of the city located within the boundaries of the District has already been subdivided. The largest exception is the remaining outlots of Big Sky Estates in the southwest corner of the city. It is the District’s understanding that these are being developed as Planned Unit Developments where the City can include District comments as an approval condition as has been done with other approvals/plats in the past.
- High Value Resource Areas identified by the District where new District Rules have additional requirements are limited within the City.
- There are only a few high value wetlands identified by the District that are located in the city. Land around most of these wetlands is already subdivided. The exceptions again are in the outlots for Big Sky Estates where any special requirements can be handled as conditions.

For these reasons, and since the choice by the District to forgo permitting is for the interim until the City has completed its ordinance update, the District feels that the situation with the City is unique. Furthermore, the District agrees that the risk to water resources is acceptable for the interim, provided the City engages with the District as described below.

The District has chosen to not operate a permitting program with respect to new development and redevelopment in the City of Savage provided the City:

- a. Informs and provides the District the opportunity to review and comment on applications for new development or redevelopment;
- b. Considers District comments and whenever possible includes them as approval conditions;
- c. Informs both the project proposer and the District when the parcel includes wetland(s) that trigger District wetland buffer requirements, and conditions the City's preliminary plat approval on the project proposer entering into a developers agreement with the District regarding the buffer and conditions the City's signature of the final plat on completion of the conservation easement;
- d. Will bring to the District for review and concurrence any requested variances from water resources and stormwater requirements;
- e. Provides information to the District regarding proposed new development or redevelopment projects when requested;
- f. Consults with and provides the District the opportunity to review new ordinances as they are being drafted; and
- g. Meets with the District at least once during the interim period.

If the District does not feel that the above items are not being followed, and its interests are not being protected with respect to new development and redevelopment, the District will discuss our concerns with the City, and if not resolved may choose to start permitting.

If you have any questions regarding the District's position as articulated in this letter, please contact District Administrator, Joni Giese at jgiese@plslwd.org or (952) 440-0067.

Sincerely,

Joni Giese
District Administrator

The City of Savage agrees to abide by permit review activities for new development and redevelopment within the Prior Lake-Spring Lake Watershed District as outlined in this letter. This agreement will remain in effect until the City ordinances are updated and have been found "equivalent" with the Prior Lake-Spring Lake Watershed District Rules.

Name

Title

Date



Subject 	Mieras Pollinator and Raingarden Cost Share	
Board Meeting Date 	June 13, 2023	Item No: 4.6
Prepared By 	Emily Dick	
Attachments 	None.	
Proposed Action 	Motion to approve the Mieras pollinator and rain garden project for cost share.	

Background

Annually, the District approves a cost share “Docket” with Scott County Soil and Water Conservation District (SWCD) to outline the budgets, process, and types of conservation practices that the District and SWCD will cover. In the 2023 Docket, a decision-making flowchart (Appendix A) outlines projects which can proceed with and without District Board consideration.

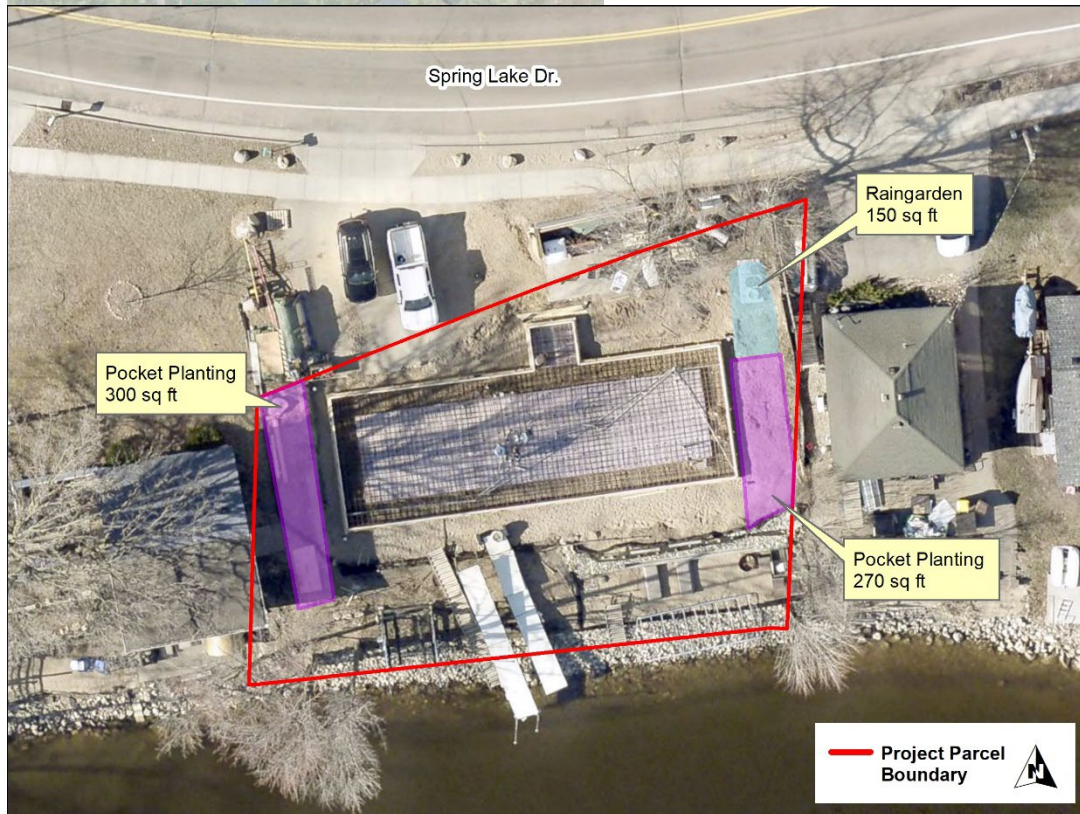
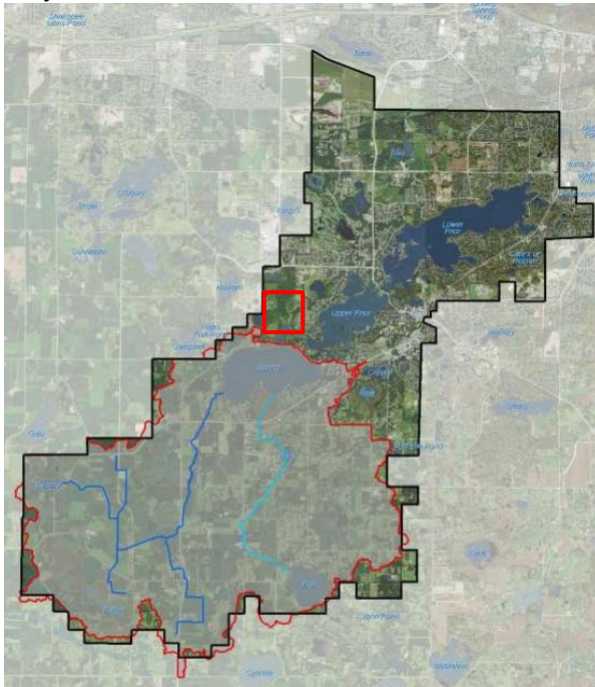
SWCD has identified a project site which will comprise both a rain garden and a pollinator (pocket planting) element. Both project types must be approved by the District Board since they are not listed as a “Type I” Practice (a list of practices prioritized by the District, such as well decommission).

Discussion

The two proposed project types would enhance the site to serve the functions of runoff reduction, infiltration and replenishment of groundwater, water quality improvement, and pollinator and wildlife habitat. Although it is difficult to quantify water quality benefits related to these projects, their function would serve that purpose directly adjacent to Spring Lake, a Tier 1 waterbody. The projects also represent value as a community education and engagement tool as the site will have signage that will be visible from a commonly traveled road. The total cost to the District of the two projects would be \$820. The Docket states that the District will fund rain garden projects <300 sq ft at \$250 and pollinator projects at \$1/ sq ft. In this project, there will be a 150 sq ft rain garden, and 570 sq ft pollinator (pocket planting) habitat. Therefore, the breakdown would be \$250 for the rain garden, and then another \$570 for the pollinator project, for a total of \$820. Detailed project information for the proposed project is on the following pages.

Recommendation

Motion to approve the Mieras pollinator and rain garden project for cost share.



Total Cost

\$820.00

Sources & Amounts

Cooperator:	\$0.00
PLSLWD:	\$820.00
SWCD:	\$0.00
Federal:	\$0.00

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT
Financial Report - Cash Basis
May 1, 2023 Through May 31, 2023

Reflects bills paid through May 31, 2023

Program Element	2023 Source of Funds				2023 Actual Results		
	2023 Levy	Budget Reserve	Grant Funds/Fees	2023 Budget	April 2023	YTD	YTD % of Budget
	General Fund (Administration)						
	Revenues						
Property Taxes	\$ 249,200	\$ -	\$ -	\$ 249,200	\$ -		0%
Grants	-	-	-	-	-	-	#DIV/0!
Interest	-	-	3,000	3,000	-	2,562	85%
Other	-	-	-	-	-	-	#DIV/0!
Total Revenues	\$ 249,200	\$ -	\$ 3,000	\$ 252,200	-	2,562	1%
	Expenditures						
Administrative Salaries and Benefits	\$ 138,000	\$ -	\$ -	\$ 138,000	10,794	56,470	41%
703 - Telephone, Internet & IT Support	13,200	-	3,000	16,200	882	5,616	35%
702 - Rent	28,300	-	-	28,300	1,596	13,183	47%
706 - Office Supplies	9,000	-	-	9,000	60	1,619	18%
709 - Insurance and Bonds	14,200	-	-	14,200	3,419	9,889	70%
670 - Accounting	31,000	-	-	31,000	1,788	12,454	40%
671 - Audit	9,000	-	-	9,000	3,000	11,500	128%
903 - Fees, Dues, and Subscriptions	1,500	-	-	1,500	-	456	30%
660 - Legal (not for projects)	5,000	-	-	5,000	-	1,917	38%
General Fund (Administration) Expenditures	\$ 249,200	\$ -	\$ 3,000	\$ 252,200	21,538	113,104	45%
Net Change in General Fund	-	-	-	-	(21,538)	(110,542)	

No assurance is provided on these financial statements

PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

2023 Budget

May 1, 2023 Through May 31, 2023

Program Element		2023 Source of Funds			
		2023 Levy	Budget Reserve	Funds/Fees	2023 Budget
	Implementation Fund				
	Revenues				
	Property Taxes	\$ 1,670,736	\$ -	\$ -	\$ 1,670,736
	Grants/Fees	-	-	120,664	120,664
	Interest	-	-	67,200	67,200
	Sales/Other	-	-	-	-
	Budget Reserves	-	\$ 371,200	-	371,200
	Total Revenues	\$ 1,670,736	\$ 371,200	\$ 187,864	\$ 2,229,800
	Expenditures				
	Program Salaries and Benefits (not JPA/MOA)	\$ 492,900	\$ -	\$ -	\$ 492,900
Water Qual	550 Public Infrastructure Partnership Projects	\$ -	\$ -	\$ -	\$ -
Water Qual	611 Farmer-led Council	54,000	-	-	54,000
Water Qual	611 Cost-Share Incentives	58,000	-	-	58,000
Water Qual	611 Highway 13 Wetland, FeCl system & Desilt, O&M	30,800	-	67,200	98,000
Water Qual	611 Fish Management, Rough Fish Removal	94,000	8,900	-	102,900
Water Qual	611 Spring Lake Demonstration Project Maintenance	1,200	-	-	1,200
Water Qual	611 Alum Internal Loading Reserve	220,000	-	-	220,000
Water Qual	611 Fish Stocking	3,000	-	-	3,000
Water Qual	637 District Monitoring Program	81,000	-	-	81,000
Water Qual	626 Planning and Program Development	17,500	-	-	17,500
Water Qual	626 Fish Lake Management Plan Update	30,404	-	50,896	81,300
Water Qual	626 LGU Plan Review	4,000	-	-	4,000
Water Qual	626 Engineering not for programs	15,000	-	-	15,000
Water Qual	626 Debt Issuance Planning	10,000	-	-	10,000
Water Qual	648 Permitting and Compliance	74,000	-	5,000	79,000
Water Qual	648 Update MOAs with cities & county	10,000	-	-	10,000
Water Qual	648 BMP and easement inventory & inspections	9,500	-	500	10,000
Water Qual	626 Upper Watershed Blueprint	122,332	362,300	39,868	524,500
Water Qual	626 District Plan Update	2,500			2,500
	WQ TOTAL	\$ 837,236	\$ 371,200	\$ 163,464	\$ 1,371,900
Water Storage	550 District-wide Hydraulic & Hydrologic model	\$ 5,000	\$ -	\$ -	\$ 5,000
	WS TOTAL	\$ 5,000	\$ -	\$ -	\$ 5,000
AIS	611 Aquatic Vegetation Mgmt	5,600	-	\$ 9,400	\$ 15,000
AIS	637 Automated Vegetation Monitoring (BioBase)	\$ 2,000	-	-	2,000
AIS	637 Aquatic Vegetation Surveys	5,500	-	-	5,500
AIS	637 Boat inspections on Spring, Upper & Lower Prior	17,000	-	15,000	32,000
	AIS TOTAL	30,100	-	24,400	54,500
Ed & Out	652 Education and Outreach Program	\$ 40,000	\$ -	\$ -	\$ 40,000
	E&O TOTAL	\$ 40,000	\$ -	\$ -	\$ 40,000
	PLOC Contribution	\$ 185,500	\$ -	\$ -	\$ 185,500
	Debt Payment Reserve	80,000	-	-	80,000
	Total Implementation Fund	\$ 1,670,736	\$ 371,200	\$ 187,864	\$ 2,229,800
	Net Change in Fund Balance Implementation Fund	-	-	-	-
	Grant Funds/Fees Anticipated				
Water Qual	611 Farmer-led Council (SWCD)			-	-
Water Qual	611 Farmer-led Council (BWSR Grant)			\$ -	\$ -
	Interest Income (general fund & Implementation fund)			\$ 70,200	\$ 70,200
	648 New Easement Acquisition Fees			5,000	5,000
Water Qual	648 Easement Amendment/violations fees			500	500
	626 UWB (BWSR Lower MN River South (WBIF-grant)			3,958	3,958
	Fish Lake Mgmt Plan & Swamp IESF Feas. ('23 WBIF Grant)			82,806	82,806
	Spring Lake Twtnshp Contribution (Fish Lake Mgmt Plan)			4,000	4,000
	550 S&I Sutton Lake Outlet (DNR Flood Hazard Grant)			-	-
	AIS Grant for Upper Prior Lake (DNR Grant)			4,335	4,335
AIS	611 Aquatic Vegetation Mgmt. (Scott County)			20,065	20,065
	Total Grant Funds/Fees Anticipated			\$ 190,864	\$ 190,864

No assurance is provided on these financial statements

Reflects bills paid through May 31, 2023

2023 Actual Results		
April 2023	YTD	YTD % of Budget
-	-	0%
-	41,403	34%
5,841	27,033	40%
-	2,254	#DIV/0!
-	-	0%
5,841	70,690	3%
28,630	147,277	30%
-	-	#DIV/0!
15,615	17,035	32%
13,373	13,373	23%
1,937	3,734	4%
11,738	30,587	30%
-	-	0%
-	-	0%
1,744	3,750	5%
609	6,831	39%
-	7,790	10%
-	-	0%
1,703	6,589	44%
-	-	0%
5,705	11,621	15%
-	1,011	10%
-	-	0%
2,051	9,445	2%
-	-	0%
54,475	111,765	8%
-	-	0%
-	-	0%
-	-	0%
-	-	0%
-	-	0%
2,114	2,129	5%
\$ 2,114	\$ 2,129	5%
-	185,421	100%
-	-	0%
85,219	446,592	20%
(79,377)	(375,902)	

PLSLWD Monthly Treasurers Report

Treasurer: Christian Morkeberg

Account balances as of 05/31/2023

4M Fund (Checking Account)	\$	1,354,135
4M Fixed Income	\$	1,165,407
Total Uncleared Transactions	\$	-
SUBTOTAL	\$	2,519,542

RESTRICTED/COMMITTED FUNDS

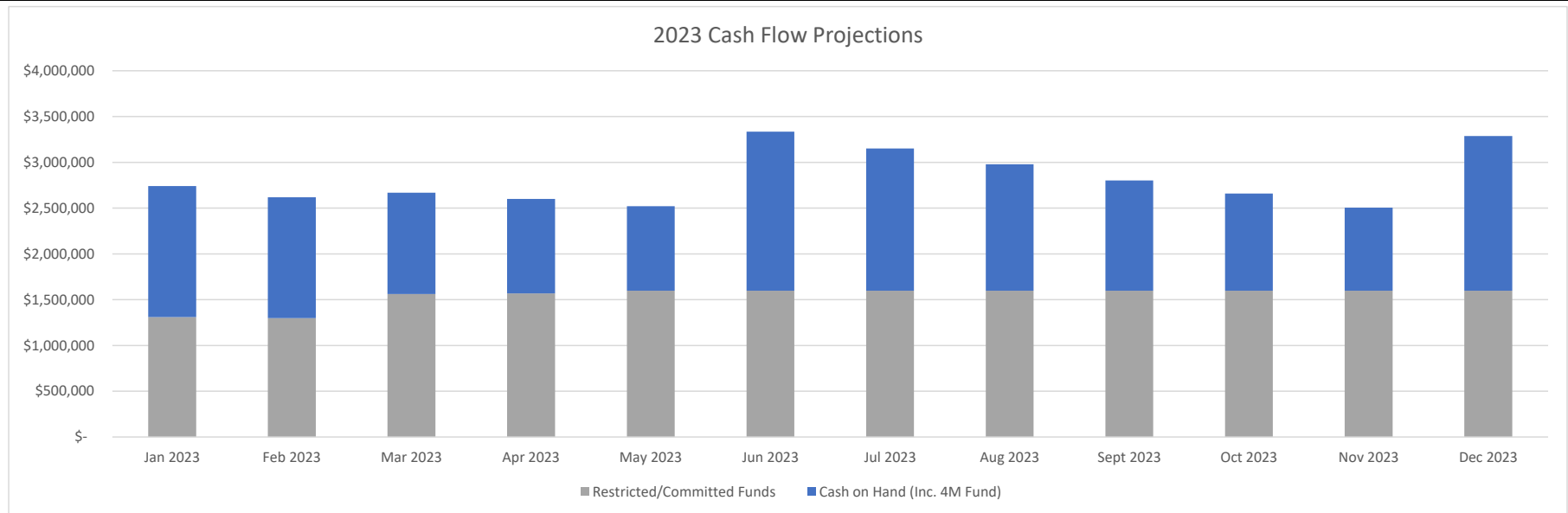
Restricted - Permit Deposits, etc. (350 & 360)	\$	136,893
Restricted - PLOC Contingency Reserve (850)	\$	260,000
Restricted - PLOC O&M Funds (830)	\$	258,147
Committed - Alum Internal Loading Reserve	\$	480,000
Committed - Upper Watershed Blueprint Fund Balance	\$	362,300
Committed - Debt Payment	\$	100,000
TOTAL DISTRICT/PLOC RESTRICTED OBLIGATIONS	\$	1,597,340

Available cash at end of May 2023	\$	922,202
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*37.3% of 2023 Budget***No assurance is provided on these financial statements**

Cash Flow Chart

Month (End of Month)	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023
Cash on Hand (Inc. 4M Fund)	\$1,431,758	\$1,320,069	\$1,107,290	\$1,031,741	\$ 922,202	\$1,737,267	\$1,553,139	\$1,381,290	\$1,203,403	\$1,062,295	\$ 907,176	\$1,690,703
Restricted/Committed Funds	\$1,308,754	\$1,298,440	\$1,560,558	\$1,568,338	\$ 1,597,340	\$1,597,340	\$1,597,340	\$1,597,340	\$1,597,340	\$1,597,340	\$1,597,340	\$1,597,340
Total Cash on Hand	\$2,740,512	\$2,618,509	\$2,667,848	\$2,600,079	\$ 2,519,542	\$3,334,607	\$3,150,479	\$2,978,630	\$2,800,743	\$2,659,635	\$2,504,516	\$3,288,043



PLSL Watershed District

Starting cash on hand

Cash Minimum Balance Alert \$ 150,000

	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Total
Cash on hand (beginning of month)	\$ 2,822,334	\$ 2,740,512	\$ 2,618,509	\$ 2,667,848	\$ 2,600,079	\$ 2,519,542	\$ 3,334,607	\$ 3,150,479	\$ 2,978,630	\$ 2,800,743	\$ 2,659,635	\$ 2,504,516	

Cash Receipts

Property Tax Levy	\$ 15,415	\$ -	\$ -	\$ -	\$ -	\$ 959,968	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 959,968	\$ 1,935,351
BWSR WBIIF	-	-	41,403	-	-	-	-	-	-	33,122	-	-	74,525
BWSR BWF - Lower MN River South	-	-	-	-	-	-	-	-	-	-	-	-	-
DNR Flood Hazard Mitigation Grant	-	-	-	-	-	-	-	-	-	-	-	-	-
Grants - Other	-	-	-	-	-	-	-	4,335	-	-	20,065	-	24,400
PLOC Contributions	-	-	287,598	-	33,717	-	-	-	-	-	-	-	321,315
Interest Income	5,631	5,108	5,749	10,806	5,841	5,850	5,850	5,850	5,850	5,850	5,850	5,850	74,085
Other Receipts	-	-	2,000	-	-	1,000	1,000	1,000	1,000	1,000	-	4,000	11,000
Total Cash Receipts	\$ 21,046	\$ 5,108	\$ 336,750	\$ 10,806	\$ 39,558	\$ 966,818	\$ 6,850	\$ 11,185	\$ 6,850	\$ 39,972	\$ 25,915	\$ 969,818	\$ 2,440,676
Total Cash Available	\$ 2,843,380	\$ 2,745,620	\$ 2,955,259	\$ 2,678,654	\$ 2,639,637	\$ 3,486,360	\$ 3,341,457	\$ 3,161,664	\$ 2,985,480	\$ 2,840,715	\$ 2,685,550	\$ 3,474,334	

Cash Paid Out

Salaries and Per Diems	\$ 28,453	\$ 38,504	\$ 60,801	\$ 39,421	\$ 39,424	\$ 56,658	\$ 56,658	\$ 56,658	\$ 56,658	\$ 56,658	\$ 56,658	\$ 56,658	\$ 603,211
Office Expense, Audit, Accounting	7,787	3,932	7,957	18,361	10,749	11,743	15,967	8,024	9,727	6,069	6,024	11,274	117,614
PLSLWD Program Costs	66,307	74,361	24,771	17,173	65,207	70,100	105,100	105,100	105,100	105,100	105,100	105,100	948,519
PLOC Contribution	-	-	185,421	-	-	-	-	-	-	-	-	-	185,421
PLOC Operations	321	10,314	8,461	3,620	4,715	13,252	13,252	13,252	13,252	13,252	13,252	13,259	120,202
Debt Service	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal	\$ 102,868	\$ 127,111	\$ 287,411	\$ 78,575	\$ 120,095	\$ 151,753	\$ 190,977	\$ 183,034	\$ 184,737	\$ 181,079	\$ 181,034	\$ 186,291	\$ 1,974,967
Cash on Hand (end of month)	\$ 2,740,512	\$ 2,618,509	\$ 2,667,848	\$ 2,600,079	\$ 2,519,542	\$ 3,334,607	\$ 3,150,479	\$ 2,978,630	\$ 2,800,743	\$ 2,659,635	\$ 2,504,516	\$ 3,288,043	



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

WORKSHOP MEETING MINUTES

Tuesday, May 9, 2023

Prior Lake City Hall

4:15 PM

Members Present:

Bruce Loney, Frank Boyles, Ben Burnett, Christian Morkeberg, Matt Tofanelli

Staff & Consultants Present:

Joni Giese, District Administrator
Emily Dick, Water Resources Project Manager
Carl Almer, District Engineer, EOR

Others Present:

Jim Fitzsimmons, SWCD
Jody Brennan, Scott County
Lisa Quinn, Spring Lake Township
Wesley Steffens, Spring Lake Association
Brad Reifsteck, WSB
Loren Hanson, Citizen Advisory Committee
Shelby Roberts, Scott SWCD
Troy Kuphal, Scott SWCD

The meeting was called to order at 4:25 PM.

Closed Meeting Disclosure

State statute allows for closed meetings to discuss sensitive matters, provided that a summary is given at the open meeting. The closed meeting discussed the annual performance review for the District Administrator.

Scott County Clean Water Education Program

Shelby Roberts from the Scott County Soil and Water Conservation District (SWCD) presented on the Scott Clean Water Education Program (SCWEP). She gave a basic overview of the SCWEP program and its role and functionality in the Watershed. The District has been a part of the SCWEP program since its inception in 2010. SCWEP is an education program that serves partners in the County to fulfill water education requirements related to MS4 (MCM1 and MCM2) and a desire to effect community change via awareness. "Clean Water Starts With Me!" is the desired take away

for participants. SCWEP has a uniquely long history and a deep network of local governmental partnerships. SCWEP aims to share clean water messaging in a streamlined fashion for maximum potency and efficiency.

SCWEP fulfills several of the goals stated in the District's Water Resources Management Plan and 2023 Education and Outreach Plan efficiently. SCWEP includes coverage at workshops, tabling events, outreach materials, and news articles. SCWEP tailors messaging to targeted audiences such as lakeshore, urban, and rural landowners. In 2022 SCWEP reached 177 attendees at workshops, engaged 1,341 youth, assisted 222 landowners, and had over a thousand engagements on social media. Education has become the foundation for cost share and applied practices being put in the ground.

Troy Kuphal, director of SWCD discussed historical partner contributions for funding the SCWEP program. Partners in the SCWEP program 2010-2012 had set a formula to establish partner contributions but have since operated on a year-to-year willingness to contribute. Total program budget and partner contributions have fluctuated, with Scott WMO contributing the majority in recent years. Multiple proposed formulas to calculate partner contributions were presented, based on population, area, and assessed value. The options in these scenarios showed the Districts contribution ranging from roughly \$7,800-14,000, with area being the lowest contribution rate and population incurring the highest. These scenarios are intended to open the conversation with partners, and hopefully to grow as a partnership in building continuity in the program and developing a longer-term planning. Ideally, SCWEP would function with three-year contracts and move to more representative contributions.

PLOC Pipe Lining – Preliminary Estimate of Probable Cost

WSB Consultant, Brad Reifsteck, gave an update on the PLOC pipe lining project, estimated costs, approach and timeline. Brad presented an overview of the pipe and its condition. The pipe was initially constructed in 1983. The outlet structure was reconstructed in 2010. In 2018, the District did some grouting of leaky sections of the pipe. In recent years, the District has been televising the pipe to monitor the condition. The 2022 televising recommended pipe lining to address some cracking. Based on conditions, WSB anticipates that the cracks to the pipe have likely been in existence since the pipe was laid due to the initial impact, and further ageing has caused them to expand. The pipe condition today is fair to good depending on the segment. The majority of cracking is around seams, although there is some longitudinal and circumferential cracking. WSB recommends pipe liner of 1" with a lower friction coefficient and increased flow out of the pipe (from 44 to 52 cfs) even with smaller diameter. A 1" liner is not fully structural. To be fully structural the lining would need to be 1.75". WSB doesn't see any need for the structural liner based on current conditions. The expected lifetime of a 1" pipe lining is 50-60 years.

WSB gave an opinion of probable cost of roughly \$930,500 for the construction and installation of the 1" liner. A portion of the cost estimate comprises the cost of getting access to manholes which may have a restricted access radius that need to be expanded. The estimated costs for manhole access are developed for the worst-case scenario for five manholes. It is expected that only three manholes may be needed for pipe lining access. The budget estimate also includes costs for clearing and grubbing and other construction costs.

The project timeline proposes that construction occurs in early winter. The exact pipe lining timing would be left to the contractor to pinpoint to allow room for their expertise to direct and to receive lower bids. WSB expects that if the time window is big enough that large and skilled contractors would bid on the project. There are several skilled contractors for this work in the area, as pipe lining is a regular maintenance practice for municipalities.

2024 Budget Process

District Administrator Joni Giese presented a draft Budgeting Process for the 2024 budget for managers consideration. The purpose behind the outlined Budget Process would be to provide structure so that the District can be intentional with planning for Water Resource Management Plan priorities into the 2024 budget. The schedule outlines meetings to brief both the Board and CAC on plan priorities, and outlines time to discuss Board and CAC priorities accordingly to reflect in the 2024 budget. It provides time for feedback, and iterations of budget drafting in preparation for setting the levy. There was discussion around coordination between Board and CAC on budgeting, which concluded with the desire to learn separately and potentially have discussion at the joint Board and CAC meeting. There was overall interest in including CAC in the budgeting process, but acknowledging that the nature of the CAC and Board roles require understanding the budget to different levels of detail.

Ferric Chloride Facility and Site Tour

Project Manager Emily Dick presented a proposal for a Board and CAC tour of the Ferric Chloride site and facility. Board input was received on preferable dates and times. The preferred date and time of June 22nd from 3-5pm will be confirmed after arranging logistics and confirming with landowners.

Staffing Update

The Water Resource Specialist position was filled by Danielle Studer, whose first day will be June 12th. Two summer interns begin on May 24th.

Liaison Updates

District Partner Reports

- *SWCD*- none today
- *Spring Lake Township*- Attended the Fish Lake Technical Advisory Committee meeting.
- *Scott County*- Commissioners denied the comprehensive plan amendment request on the corner of Hwy 13 and 282.
- *Spring Lake Association*- Bluewater Science did a delineation and survey last week. Curlyleaf pondweed was not as dense as last year. Areas near Raymond Park and the boat ramp had heavier growth. The estimated cost for the treatment was \$400-\$500 for 6-8 acres. The association plans to send opt out letters to lakeshore owners and see if treating this area will affect the vegetation past 150'. The association would appreciate piloting the coordination with the District this year.
- *CAC*- Membership is down to five members and discussed streamlining to no subcommittees while they regroup membership. Meetings will be held on the last Thursday of odd months going forward.

- *City of Prior Lake*- Two road projects underway: Fish Point Road project and County 21/Revere project. A marina requested to extend their dock for a second year, this year the City Council decided to not renew the dock extension due to the higher water levels.

Manager Liaison Reports

- *CAC*- CAC decided to adopt operating guidelines instead of bylaws.
- *Scott SWCD*- Discussion about partnership between SWCD and District.
- *Lower Minnesota Watershed District*- None.
- *Sand Creek Township*- None.
- *Spring Lake Township*- None.
- *Scott WMO*- Did not attend meeting. Anne Sawyer BWSR Board Conservationist did a presentation. There was a presentation on inspections. The WMO is very involved in One Water One Plan and currently discussing organizational options for implementation.
- *Shakopee*- None.
- *SCALE*- Upcoming SCALE meeting is talking about electricity supply.
- *Scott County* - Denied Comprehensive Plan amendment request, on a 3-2 vote.

Respectfully Submitted,
Emily Dick
5/11/2023



PRIOR LAKE SPRING LAKE WATERSHED DISTRICT

REGULAR MEETING MINUTES

Tuesday, May 9th, 2023

Prior Lake City Hall

6:00 PM

Members Present:

Bruce Loney, Christian Morkeberg, Ben Burnett
Frank Boyles, Matt Tofanelli,

Staff & Consultants Present:

Joni Giese, District Administrator
Jeff Anderson, Water Resources Coordinator
Emily Dick, Water Resources Project Manager
Shauna Capron, Water Resources Technician
Carl Almer, EOR, District Engineer

Others Present:

Jody Brennan, Scott County Commissioner;
Andy Berg, ABDO;
Wesley Steffens, SLA;
Mr. and Mrs. Bruce Lemke, residents

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE:

Meeting was called to order by President Loney at 6:05 pm. Everyone present, recited the Pledge of Allegiance.

2.0 PUBLIC COMMENT

Bruce Lemke, of 3571 Crystal Bay Lane, Prior Lake, requests the District and/or the city to recommend to residents to use city water instead of lake water for yard watering during draughts.

- Manager Loney asked Administrator Giese for more information on lake level effects from residents using lake water for yard watering.
- Manager Tofanelli recalled some time ago, when the city asked lake owners to use lake water instead of city water due to supply issues.
- Manager Loney suggested maybe an educational website related to this to help residents decide the best method to use.

3.0 APPROVAL OF AGENDA

- Agenda changes:
 - Add 4.7 Salary Adjustment for Administrator Giese

- Motion to approve amended agenda by Manager Boyles; second by Manager Burnett; Motion carried, 5-0.

4.0 OTHER OLD/NEW BUSINESS

4.1 Programs & Projects Update

- Jeff Anderson & Emily Dick provided a report of staffs many activities the preceding month, and some upcoming events.
- Shauna Capron presented the Tier II Lakes: Water Quality Report Cards.

4.2 Acceptance of 2022 Annual Audit

- Andy Berg, from Abdo, presented the audit report.
- Motion to accept by Manager Boyles, 2nd by Manager Tofanelli; passed 5-0.

4.3 Ferric Chloride System Assessment: Consultant Selection

- Emily Dick presented the motion and assessment supporting the motion. Emily answered some questions from the managers.
- Motion to approve Ferric Chloride System Consultant contract to EOR for \$63,008 by Manager Morkeberg, 2nd by Manager Burnett; passed 5-0.

4.4 Cost Share Projects Authorization

- Emily Dick presented cost share request to help with two prescribed burns.
- Motion to approve the two prescribed burn projects by Manager Morkeberg, 2nd by Manager Tofanelli; passed 5-0.

4.5 Revised Aquatic Plant Management Policy

- Administrator Giese and Jeff Anderson presented the proposed revised policy.
- Motion to approve policy update (to start coordination efforts by January 31) by Manager Boyles, 2nd by Manager Burnett; passed 5-0.
- Motion by Morkeberg for staff to investigate possibility to coordinate with SLA for this year, and if possible, to do it; 2nd by Manager Tofanelli; passed 5-0.

4.6 Minnesota Watersheds Membership

- Administrator Giese presented recommendation to renew membership.
- Motion to join Minnesota Watersheds for 2024 by Manager Boyles, 2nd by Manager Loney; passed 5-0.

4.7 Salary Adjustment for Administrator Giese

- Motion to raise District Administrator salary 7% by Manager Tofanelli, 2nd Manager Burnett; passed 5-0.

5.0 TREASURER'S REPORT

Treasurer Morkeberg summarized the financial information contained in the packet including:

5.1 Monthly Financial Reports (Discussion Only)

- Financial Report
- Treasurers Report
- Cash Flow Projections

5.2 Quarterly Report of Investment Activities (Discussion Only)

- New quarterly report that will be provided by the Administrator to be in compliance with the District's investment policy.

- District investments are organized into a “Ladder” with approximately a quarter of the District’s investments (securities and certificates of deposit) maturing every three months to earn interest while providing cash availability when needed. More liquid District funds are invested in a money market account.

6.0 CONSENT AGENDA

- 6.1 Meeting Minutes – April 11, 2023, Board Workshop
- 6.2 Meeting Minutes – April 11, 2023, Board Meeting
- 6.3 Meeting Minutes – March 30, 2023, CAC Meeting
- 6.4 Claims List & Visa Expenditures Summary
- 6.5 Hunters Pass Development Agreement and Conservation Easement
- 6.6 Stemmers Ridge Conservation Easement Amendment
- 6.7 CAC Chair, and Amended 2023 Meeting Schedule
- 6.8 National Association of State Procurement Officials (NASPO) Purchasing Card Program

- Motion to approve consent agenda by Manager Boyles; 2nd by Manager Morkeberg; Motion carried. Passed 5-0.

6.7B CAC Operating Guidelines

- Motion by Manager Boyles to review and revise the CAC Operating Guidelines at next month workshop; 2nd by Manager Loney, discussion was held, concern about CAC participation and morale; Motion Failed 2-3.
- Motion to approve as originally submitted by Manager Tofanelli; 2nd by Manager Burnett; Motion Passed 4-1.

7.0 UPCOMING MEETING/EVENT SCHEDULE:

- PLOC Cooperators Quarterly Meeting, Thursday, May 18, 2023, 12:00 pm (Prior Lake City Hall – Parkview Conference Room)
- CAC Meeting, Thursday, May 25, 2023, 6:00 pm (Prior Lake City Hall – Wagon Bridge Conference Room)
- Board of Managers Workshop, Tuesday, June 13, 2023, 4:00 pm (Prior Lake City Hall – Parkview Conference Room)
- Board of Managers Meeting, Tuesday, June 13, 2023, 6:00 pm (Prior Lake City Hall – Council Chambers)

8.0 ADJOURNMENT

- Motion to adjourn agenda by Manager Morkeberg; second by Manager Burnett; Motion Passed 5-0.
- Meeting adjourned at 8:05 pm.

Respectfully Submitted,
Ben Burnett, PLSLWD Secretary, 6/6/23



CAC Meeting Minutes

Thursday April 27, 2023
6:11-7:23 PM

Attendees:

CAC Members: 4 of 7 members present = 57% ($\geq 50\%$)
☒ Maureen Reeder ☒ Woody Spitzmueller
☐ Ron Hoffmeyer ☒ Loren Hanson (Vice Chair)
☒ Curtis Witt

Staff: Emily Dick
 Board members: Matt Tofanelli

CAC Business 6:00 (Meeting called to order at 6:11)

- Approval of the agenda: Motion: Maureen / Second: Curtis / Passed
- Approval of March Minutes Motion: Woody / Second: Loren / Passed
- Review of Board Meetings: Matt Tofanelli
 - Staff presented a draft policy to allow lake associations on Tier 1 lakes to coordinate with District on invasive plant treatments. The Lake associations would handle coordinating with landowners for any treatment within 150' of shore.
 - Discussions on Board expectations for CAC. Desire for early communication between Board and CAC.
 - Presented Fish Lake Management Plan Update.
 - Discussions on rejoining Minnesota Watersheds organization.
 - Discussions on Sutton lake management plan, Buck wetland feasibility study, CD-13 wetland
- Vote on CAC Vice Chair, for 2023
 - Tabled until after meeting frequency decided.
 - To be revisited at next meeting
- Discuss CAC Role
 - Subcommittees
 - Hold on subcommittees until have more members or there is a specific topic we want to break out.
 - Meeting frequency
 - Reducing meetings may make it less laborious and increase attendance.
 - May not help reduce schedule conflicts, could end up with less meetings.
 - Can hold special meetings.
 - Preference to set regular meeting frequency as held on odd months.
 - Motion: Maureen / Second: Curtis / Passed
 - Staff will send a recurring CAC calendar invite.
 - Process to bring items to the Board
 - Clarity on how to get things in the Board packet is desired.
 - Language has been added to Operating Guidelines document.

- Bylaws versus Operating Document
 - Operating Guidelines is preferred term
 - Motion to approve “Operating Guidelines” Document with edits as discussed (odd numbered month meetings, name change to document)
 - Motion Maureen / Second Curtis / Passed
- Vote on Representative for Bylaws Committee
 - Not needed, operating guidelines adopted
- Staff Project Updates
 - Fish Lake
 - District is looking at an updated Lake Management Plan to reconcile two reports with conflicting data.
 - Data collection has begun, and an engagement schedule with landowners and updates at public meetings was reviewed.
 - FeCl System Update
 - District is assessing the lifetime of the tank, if and when any replacements and upgrades are recommended.
 - Currently requesting proposals for consultants to conduct the assessment.
- Actions to discuss next meeting:
 - Review subcommittee focuses
 - Vice Chair election

Motion to adjourn at 7:23pm – Motion Curtis / Second Woody / Passed

Prior Lake Spring Lake Watershed District
Claims list for Invoice Payments due for the prior month

Managers will consider approving this claims list - Staff payroll and benefits, Manager per diems, and Health insurance premiums have already been paid via ACH transfers. After the managers vote, two Managers will approve individual payments via BILL within three days of the meeting for approved claims. Then, staff will release payment via BILL to the claims list parties.

Vendor	Invoice Link	Description	Amount
1. Watershed District Projects (excluding staff payroll)			
Hawkins	X	FeCl purchase and delivery	\$ 9,929.00
RMB	X	Ferric Monitoring Lab Analysis	\$ 1,625.88
	X	Watershed Lab Analysis	\$ 2,874.96
PLM Lake and Land Management	X	Diquat Treatment	\$ 1,454.00
10,000 Lakes Aquaculture	X	Bluegill Stocking	\$ 3,500.00
Smith Partners	X	April 2023 billing - Permitting	\$ 1,113.70
EOR	X	General Engineering	\$ 1,443.75
		Fish Lake Management Plan Update	\$ 10,383.31
		Permitting	\$ 2,820.00
		BMP Easements	\$ 99.00
		Rule Revisions	\$ 792.00
		District Monitoring Program	\$ 1,539.00
		Subtotal	\$ 37,574.60
2. Outlet Channel - JPA/MOA (excluding staff payroll)			
EOR		Pipe lining and preemptive drawdown topics	\$ 420.00
		Whispering Waters review	\$ 1,998.00
		Cooperators meeting prep and attendance	\$ 856.19
		2023 PLOC Vegetation Maintenance	\$ 86.50
		2023 PLOC Vegetation/Stability Inspections	\$ 1,476.38
		Segment 5 pond survey	\$ 869.99
CLA		PLOC Accounting	\$ 1,500.00
		Subtotal	\$ 7,207.06
3. Payroll, Office and Overhead			
ADP Manager Per Diems			\$ 115.43
ADP Staff Payroll			\$ 21,865.91
ADP Taxes & Benefits			\$ 14,359.50
Fidelity	X	Shauna Final Payment	\$ 25.00
NCPERS	X	June Life Insurance Premiums	\$ 80.00
Reliance Standard	X	June LTD and STD Premiums	\$ 706.14
HealthPartners	X	Health Insurance Premiums	\$ 7,361.70
City of Prior Lake	X	Rent (July 2023)	\$ 2,387.03
Smith Partners	X	April 2023 billing - General Admin	\$ 412.99
CLA	X	Monthly Accounting - 19.65 hours	\$ 2,075.00
		Technology and Client Support Fee	\$ 195.15
		Bill.com fees for May 2023	\$ 52.00
		Monthly Payroll processing	\$ 328.00
League of Minnesota Cities	X	Property/Casualty Premium Renewal	\$ 8,835.00
Rymark	X	May Billing (10 workstations)	\$ 1,008.95
Metro Sales	X	Contract base rate 4/8-5/7-2023	\$ 155.00
Innovative Office Solutions	X	Nameplates (Danielle - office and board meeting)	\$ 59.36
VISA	X	April-May Billing	\$ 2,558.50
		Subtotal	\$ 62,580.66
		TOTAL	\$ 107,362.32

Prior Lake-Spring Lake Watershed District
VISA Transactions 4/24/2022-5/23/2023

Trans Date	Merchant Name	Amount	Receipt Link	Staff Approval	Class	Customer	Expense	Description
4/24/2023	ADOBE CREATIVE CLOUD April-May	\$110.54	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Software
4/25/2023	GROUP GREETING	\$5.36	x	Patty Dronen	405 General Fund		710 Office Expense Other	Emily's Birthday
4/25/2023	CUB FOODS	\$8.75	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Donuts
4/27/2023	EDELWEISS	\$3.75	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Donuts for Patty
4/27/2023	KNOTTY OAR MARINA	\$692.37	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Lower unit repair
4/30/2023	CARLSON ACE HARDWARE	\$15.01	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Carp Removals-Specialized Traps	876 Field Equipment & Maintenance	Cable ties
4/30/2023	ZAZZLE INC	\$89.46	x	Patty Dronen	405 General Fund		706 Office Supplies	name badges
4/30/2023	HOLIDAY STATIONS 0198	\$45.00	x	Shauna Capron	637 Monitoring & Research	Stream Monitoring	801 Gas, Mileage	gas
4/30/2023	Kindle Svcs*HF5J28RF1	\$1.99		Patty Dronen				Mistakenly purchased on Amazon
4/30/2023	Kindle Svcs	(\$1.99)		Patty Dronen				return for above purchase
5/1/2023	IRONCLAD STORAGE	\$220.00	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Equipment storage
5/4/2023	VZWRLSS*APOCC VISB	\$28.08	x	Jeff Anderson	648 Regulation	Easement Inspections & violations	876 Field Equipment & Maintenance	cell data
		\$30.16		Jeff Anderson	PLOC 839	PLOC Equipment & Maintenance	876 Field Equipment & Maintenance	cell data
		\$15.08		Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	cell data
5/5/2023	USPS	\$19.80	x	Shauna Capron	637 Monitoring & Research	Lake Level Monitoring	876 Field Equipment & Maintenance	Ott logger repair
5/5/2023	KNOTTY OAR MARINA	\$483.13	x	Jeff Anderson	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	Winterization and prop repair
5/8/2023	TJMAXX #0327	\$96.00	x	Patty Dronen	626 Planning	Planning and Program Development	806 Program Costs-Miscellaneous	Apparel - Joni
5/11/2023	USPS PO 2663260417	\$126.00	x	Emily Dick	405 General Fund		701 Postage	stamps
		\$28.80		Emily Dick	626 Planning	Fish Lake Management Plan Update	701 Postage	postcard mailing
5/11/2023	JIMMYJOHNS	\$96.93	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Board meal
5/11/2023	MICROSOFT#G021332216	\$4.83	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	software
5/12/2023	SHELL	\$82.21	x	Shauna Capron	637 Monitoring & Research	Lake Chemistry Monitoring	801 Gas, Mileage	gas
5/12/2023	ZAZZLE INC	\$15.14	x	Patty Dronen	405 General Fund		706 Office Supplies	Nametag for Danielle
5/14/2023	TJMAXX #0327	-\$72.00		Patty Dronen				Return
5/16/2023	EDELWEISS	\$29.04	x	Patty Dronen	626 Planning	Planning and Program Development	902 Meals and Lodging	Emily 6 mos performance review
5/22/2023	FLEET FARM	\$230.13	x	Jeff Anderson	637 Monitoring & Research	Automated Vegetation Monitoring	876 Field Equipment & Maintenance	
5/23/2023	ADOBE CREATIVE CLOUD - May June	\$110.54	x	Patty Dronen	626 Planning	Planning and Program Development	903 Dues/Fees/Subscriptions	Software
5/23/2023	FLEET FARM	\$56.35	x	Shauna Capron	611 Operations & Maintenance	Fish Mgmt - Equipment, Storage & Maintenance	876 Field Equipment & Maintenance	gear for boat and interns
5/23/2023	SPEEDWAY	\$81.37	x	Shauna Capron	637 Monitoring & Research	Stream Monitoring	801 Gas, Mileage	incorrect receipt was given by vendor
5/23/2023	FLEET FARM	-\$11.65		Jeff Anderson	637 Monitoring & Research	Automated Vegetation Monitoring	876 Field Equipment & Maintenance	return
	Finance Charges	(\$43.37)		Patty Dronen	405 General Fund		903 Dues/Fees/Subscriptions	
	Previous overpayment	(\$38.01)		Patty Dronen	405 General Fund		903 Dues/Fees/Subscriptions	
	TOTAL	\$2,558.80						



Subject 	Scott County Public Works Storage Facility Conservation Easement	
Board Meeting Date 	June 13, 2023	Item No: 6.5
Prepared By 	Joni Giese, District Administrator	
Attachments 	1) Site Location Map 2) Scott County Public Works Storage Facility Conservation Easement	
Proposed Action 	Motion to approve the Scott County Public Works Storage Facility Conservation Easement for execution by the District Administrator.	

Background

District Rule J requires the establishment of a vegetated buffer around wetlands and watercourses for the purpose of maintaining the long-term health and function of these resources. Rule J also requires the establishment of a permanent conservation easement over the buffers.

Discussion

District staff has been working with Scott County to establish a conservation easement that will protect the required buffer in perpetuity. The location of the project is shown on the attached map. The establishment of a conservation easement, along with associated vegetation establishment and easement monument installation, on this site is the last requirement to be completed in order to close District Permit 19.01.

The attached conservation easement document is based on a template developed by the District Attorney. The conservation easement is a legal document that will be recorded in the Scott County Land Records Office.

Recommendation

District staff is recommending that the Board of Managers approve the Scott County Public Works Storage Facility Conservation Easement for execution by the District Administrator.

Scott County Public Works Storage Facility Site Location Map



DECLARATION OF CONSERVATION EASEMENT

This Declaration is made this _____ day of _____, 2023, by Scott County, a Minnesota local government unit, (the "Declarant").

RECITALS

Declarant owns land related to the development of the Scott County New Public Works Storage Facility in Scott County, Minnesota, described on the attached Exhibit A (the "Property"). As conditions of the approval of the plats of Public Works First Addition, Scott County required that the Declarant establish, to the benefit of the Prior Lake-Spring Lake Watershed District ("Watershed District"), a conservation easement over a buffer strip around the perimeter of wetlands within the Property in accordance with the requirements of the Watershed District's Rules ("Rules"). Declarant desires to establish a conservation easement under Minnesota Statutes, Chapter 84C, to create a buffer strip around the perimeter of wetlands (both existing and to be created) within the Property.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portion of the Property described on the attached Exhibit B ("Easement Area") and shown in Exhibit C (Surveyed Drawing) shall be held, sold, conveyed and occupied subject to the following easements and restrictions (the "Conservation Easement"), which shall be perpetual and run with the Property and bind each owner ("Owner") and all other persons having any right, title or interest in the Property or any part thereof, their heirs, representatives, successors and assigns, and shall inure to the benefit of the Watershed District, and its successors and assigns.

1. PRESERVATION. Declarant will permanently retain the Easement Area in its predominantly natural condition and prevent or remedy any subsequent activity or use that impairs or interferes with its function as a buffer strip.

2. RESTRICTIONS. The following restrictions shall apply to the Easement Area:

(a) The Easement Area shall be preserved predominantly in its natural condition. No trees, shrubs, or other vegetation that are not indigenous or naturalized to the State of Minnesota shall be planted upon the Easement Area; and no trees, shrubs, or other vegetation

shall be removed from the Easement Area without the prior written consent of the Watershed District.

(b) Buffer strip vegetation shall be established and maintained within the Easement Area in accordance with the Rules. There will be no grading or other disturbance of the soil within the Conservation Easement except as incidental to vegetation planting and removal. No structure or paved surface will be placed temporarily or permanently within the Conservation Easement.

(c) Easement identification monuments must be placed and maintained by the Declarant at the boundaries of the Easement Area as required by the Rules. Monuments will be placed and maintained on the upland edge of the Conservation Easement boundary, at each parcel line where it crosses the Conservation Easement boundary, and at each point where the bearing of the Conservation Easement boundary line changes, aligning with the iron pipes placed by the surveyor for the Conservation Easement. A monument shall consist of a metal U-channel post and a buffer strip sign provided by the Watershed District, or as otherwise approved in writing by the Watershed District. The sign shall be securely mounted to a minimum height of 4 feet above grade. Removal, relocation, or damage to the monuments is prohibited. If a monument has been relocated or damaged, the Owner shall notify the District as soon as possible. If there is a subdivision after initial monumentation, monuments will be adjusted to maintain conformance with this paragraph.

(d) Subject to Section 3 below, alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application, are prohibited within the Easement Area. Noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed as long as the Easement Area is maintained to the standards required by the Rules. Notwithstanding the foregoing, Declarant may plant to enhance the natural vegetation or selectively clear or prune trees or vegetation that are dead, diseased or otherwise pose hazards.

3. AUTHORIZED USES. The following activities are not prohibited alterations under Paragraph 2(d) above:

(a) Placement, maintenance, repair or replacement of utility and drainage systems that exist on creation of the Conservation Easement or are required to comply with any subdivision approval or building permit obtained from the municipality or county, so long as any adverse impacts of utility or drainage systems on the function of the Conservation Easement have been avoided or minimized to the extent possible.

(b) Construction, maintenance, repair, reconstruction or replacement of public roads crossing the Easement Area, so long as any adverse impacts of such roads on the function of the Conservation Easement are avoided or minimized to the extent possible.

4. ENTRY. The Watershed District, and its agents, employees, managers and contractors, may enter the Property (but not any structure or improvements) at reasonable times to monitor subsequent activities and uses, perform work, and enforce this Declaration. The Watershed District shall give reasonable prior notice to the Owner of all such entries and shall not unreasonably interfere with the Owner's use and quiet enjoyment of the Property. This Declaration grants no right of access or entry on the Property to the general public.

5. COSTS AND FEES. The Owner shall reimburse the Watershed District for all costs incurred in the enforcement of this Declaration, including Watershed District staff costs and engineering and attorneys' fees. The Owner shall fully pay all invoices submitted by the Watershed District for obligations incurred under this Declaration within 7 days after receipt. Amounts not so paid shall accrue interest at the rate of 8 percent per year, or the maximum rate allowed by law, if lower.

6. MISCELLANEOUS.

(a) Unless the context otherwise requires, a reference in this Declaration to the Rules adopted by the Watershed District means the Rules, as amended, in effect at the time of their application.

(b) Each Owner, including Declarant, and each successor record owner of the Property shall be fully discharged and relieved of liability under this Declaration upon ceasing to own any interest in the Property and paying all amounts and performing all obligations hereunder to the time such ownership terminates.

(c) This Declaration may be amended only by a writing duly signed and notarized by Owner and the Watershed District.

(d) Enforcement of this Declaration shall be by proceedings at law or in equity against any person violating or attempting to violate these restrictions either to restrain the violation or to recover damages. The failure to enforce any of the restrictions shall not be deemed to be a waiver of the right to do so thereafter. A party seeking enforcement of this Declaration shall be entitled to recover from the party violating the restrictions, reimbursement for all costs and expenses of litigation including reasonable attorneys' fees and other costs incurred in attempting to secure such relief.

(e) This document is to be finalized, signed/notarized by both parties, and recorded before the developer may sell any of the lots.

(f) Invalidity of any provision of this Declaration shall not affect the remaining provisions, which shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner has voluntarily executed this Agreement on this _____ day of _____, 2023.


OWNER:

Scott County
A Minnesota Local Government Unit

By: 
Thomas J. Wolf

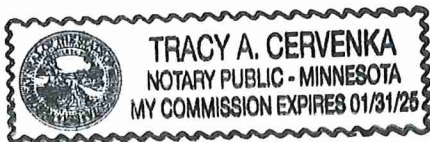
Its: County Board Chair


Approved as to form:

By: 
Jeanne Andersen
Assistant Scott County Attorney

STATE OF MINNESOTA)
)SS
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this 16th day of May, 2023, by Thomas J. Wolf, the County Board Chair of Scott County a Minnesota Local Government Unit, on behalf of Scott County.



Notary Public: 

My Commission Expires: 1-31-25

The Watershed District hereby accepts the foregoing Conservation Easements pursuant to Minnesota Statutes, Section 84C.02, on this _____ day of _____, 2023.

This instrument was drafted by:
Prior Lake-Spring Lake Watershed District
4646 Dakota Street SE, Prior Lake, MN 55372

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot 1, Block 1 Public Works 1st

EXHIBIT B

LEGAL DESCRIPTION OF EASEMENT AREAS

DESCRIPTION OF WETLAND BUFFER EASEMENT A

An easement over, under and across that part of Lot 1, Block 1, Public Works First Addition, Scott County, Minnesota described as commencing at the most northerly northeast corner of said Lot 1; thence South 00 degrees 32 minutes 37 seconds West, assumed bearing, along an east line of said Lot 1 a distance of 252.96 feet; thence North 89 degrees 27 minutes 23 seconds West 532.78 feet to the point of beginning of the easement to be described; thence South 00 degrees 12 minutes 16 seconds West 101.93 feet; thence South 76 degrees 46 minutes 10 seconds West 50.31 feet; thence North 19 degrees 23 minutes 42 seconds West 117.34 feet; thence North 88 degrees 12 minutes 07 seconds East 88.35 feet to the point of beginning.

DESCRIPTION OF WETLAND BUFFER EASEMENT B

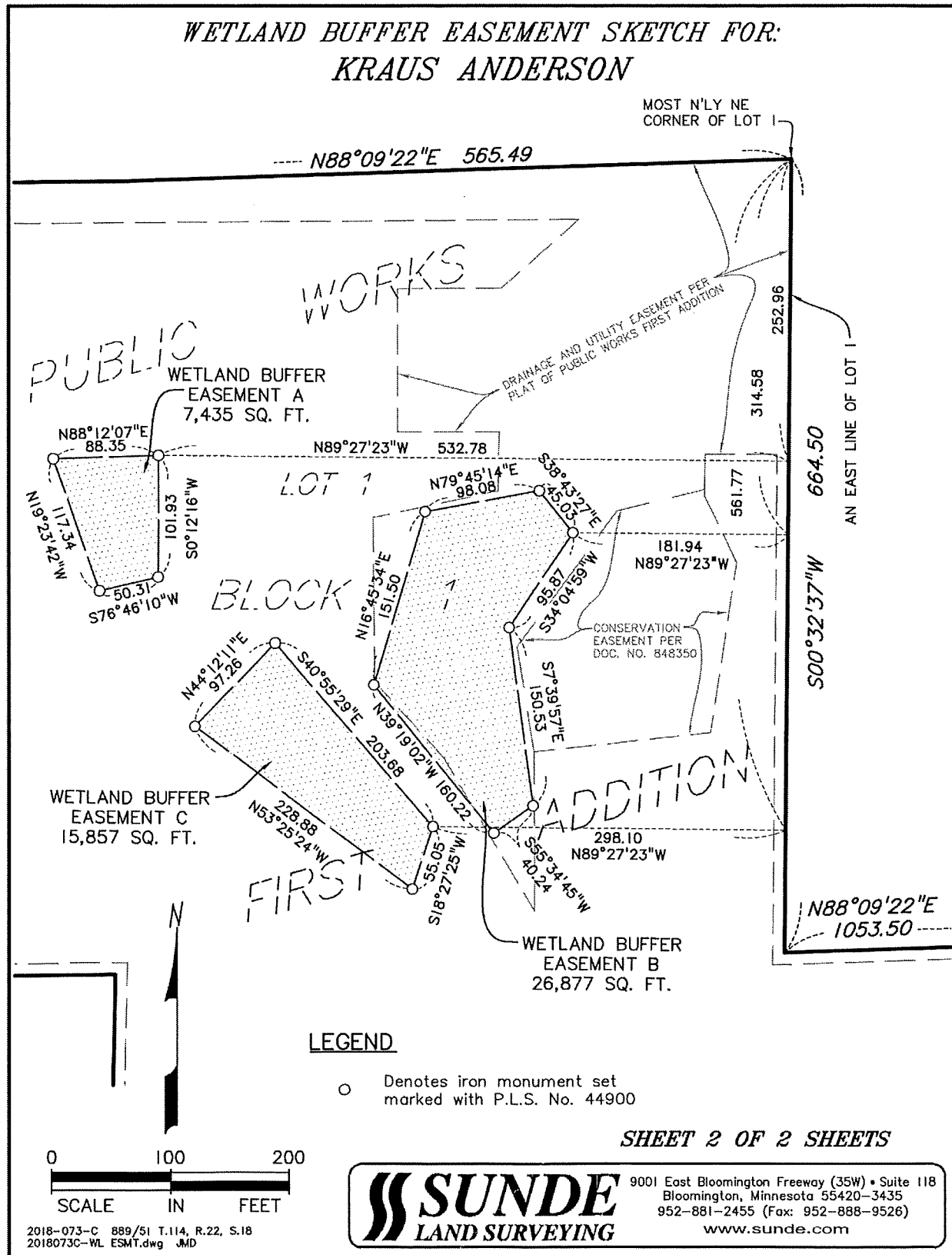
An easement over, under and across that part of Lot 1, Block 1, Public Works First Addition, Scott County, Minnesota described as commencing at the most northerly northeast corner of said Lot 1; thence South 00 degrees 32 minutes 37 seconds West, assumed bearing, along an east line of said Lot 1 a distance of 314.58 feet; thence North 89 degrees 27 minutes 23 seconds West 181.94 feet to the point of beginning of the easement to be described; thence South 34 degrees 04 minutes 59 seconds West 95.87 feet; thence South 07 degrees 39 minutes 57 seconds East 150.53 feet; thence South 55 degrees 34 minutes 45 seconds West 40.24 feet; thence North 39 degrees 19 minutes 02 seconds West 160.22 feet; thence North 16 degrees 45 minutes 34 seconds East 151.50 feet; thence North 79 degrees 45 minutes 14 seconds East 98.08 feet; thence South 38 degrees 43 minutes 27 seconds East 45.03 feet to the point of beginning.

DESCRIPTION OF WETLAND BUFFER EASEMENT C

An easement over, under and across that part of Lot 1, Block 1, Public Works First Addition, Scott County, Minnesota described as commencing at the most northerly northeast corner of said Lot 1; thence South 00 degrees 32 minutes 37 seconds West, assumed bearing, along an east line of said Lot 1 a distance of 561.77 feet; thence North 89 degrees 27 minutes 23 seconds West 298.10 feet to the point of beginning of the easement to be described; thence South 18 degrees 27 minutes 25 seconds West 55.05 feet; thence North 53 degrees 25 minutes 24 seconds West 228.88 feet; thence North 44 degrees 12 minutes 11 seconds East 97.26 feet; thence South 40 degrees 55 minutes 29 seconds East 203.68 feet to the point of beginning.

EXHIBIT C

WETLAND BUFFER EASEMENT SKETCH FOR: KRAUS ANDERSON





Subject 	CAC Vice Chair	
Board Meeting Date 	June 13, 2023	Item No: 6.7
Prepared By 	Emily Dick	
Attachments 	None	
Proposed Action 	Motion to approve Maureen Reeder as CAC Vice Chair for the remainder of 2023.	

Discussion

The Citizen's Advisory Committee (CAC) voted to elect Maureen Reeder as Vice Chair for the remainder of the 2023 calendar year at their meeting on May 30th. The Vice Chair position was left vacant when Loren Hanson (prior Vice Chair) was elected to fill the Chair vacancy which came about when the previous CAC Chair's term had ended.

Recommendation

Motion to approve Maureen Reeder as CAC Vice Chair for the remainder of 2023.